

REMARKS

Claims 1-2 are pending. Claims 1-2 are herein amended.

Claim Rejections

Amended claim 1 recites a sticking roller for sticking a label to an adherend. The sticking roller comprises a shaft-shaped roller body and an elastic member which is fitted on the outer circumference of the roller body. The elastic member contacts with a non-adhesive face of the label. The roller body has a fitting part for fitting the elastic member on the outer circumferential surface. The elastic member is fitted in the fitting part so that the top surface of the elastic member is arranged above the outer circumferential surface of the roller body. The elastic member has a circumferential surface shape which is substantially identical to the shape of said label.

Amended claim 2 recites that the adherend is an information recording board having a nearly doughnut shape in a plan view. The elastic member is formed into a nearly doughnut shape on the circumferential surface of the roller body corresponding to the plan shape of the information recording board. The fitting part has stepped portions along an inner circumferential edge and an outer circumferential edge of the elastic member. The stepped portions regulate a deformation or shift of the elastic member in its surface direction when a sticking force is applied to the label on the surface of the elastic member.

A. Rejection Based on *Funahashi*

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Funahashi* (US Patent No. 3,812,782). Favorable reconsideration is requested.

Applicants respectfully submit that *Funahashi* does not disclose an elastic member “having a circumferential surface shape which is substantially identical to the shape of said label” as recited in amended claim 1.

Funahashi discloses an inking roller having a cylindrical unit 5 made of rubber material which was cited by the Examiner as the elastic member as recited in claim 1 (Office Action, page 2). The cylindrical unit 5 covers the entire surface of the roller body except for small strips where the partitions are located. (See Figs. 1-9.) The inking roller is used in a printing machine so that the inking roller rotates in contact with the printing types of the printing machine. (Col. 6, lines 12-14.) The cylindrical unit 5 does not have a circumferential surface shape which corresponds to the shape of a label. Therefore, *Funahashi* does not disclose the elements as recited in claim 1.

Applicants also respectfully submit that *Funahashi* does not disclose “said elastic member being formed into a nearly doughnut shape on the circumferential surface of said roller body” as recited in amended claim 2.

The outer cylindrical member 5 of *Funahashi* completely covers the outer circumferential surface of the roller except where the partitions separate the cylindrical units. The Examiner cites Figs. 8 and 10 of *Funahashi* (side views of the ink roller) as disclosing a doughnut shape.

However, the doughnut shape recited in amended claim 2 refers to the circumferential surface of the roller. (See Figs. 5(A)-(C) of the present application.) Funahashi does not disclose a doughnut shape on the circumferential surface of the roller body. Therefore, Funahashi does not disclose the elements as recited in claim 2.

B. Rejection Based on *Weihrauch*

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Weihrauch* (U.S. Patent 5,779,610). Favorable reconsideration is requested.

Applicants respectfully submit that *Weihrauch* does not disclose a roller body having “a fitting part for fitting the elastic member on the outer circumferential surface” as recited in amended claim 1.

The Examiner cites structural element 20 as being a fitting part and alleges that the plush covering 12 is fitted to the outer circumference of the carrying body 11 by means of structural element 20. (Office Action, page 3.) The alleged fitting part 20 is a structural element in the form of a tubular sleeve 21. (Col. 3, lines 45-47; Fig. 1, left drawing.) The plush covering 12 is attached to the carrying body 11 in the form of a “known paint roll.” (Col. 3, lines 39-41; Fig. 1, right drawing.) A “known paint roll,” having a carrying body 11 and a plush covering 12, functions without a tubular sleeve 21. This means that the plush covering 12 fits to the carrying body 11 without the alleged fitting part 21. (Fig. 1.) The fitting part is used only when a structured pattern is desired. (Col. 1, lines 42-45; col. 2, lines 7-20.) The only purpose of the tubular sleeve 21 is to provide a height-profiled surface. (Col. 3, lines 50-56; Fig. 2.)

The tubular sleeve 21 does not fit the plush covering on the outer circumferential surface of the carrying body. Therefore, Weihrauch does not disclose the elements as recited in claim 1.

Applicants also respectfully submit that Weihrauch does not disclose an “elastic member having a circumferential surface shape which is substantially identical to the shape of said label” as recited in amended claim 1.

Weihrauch discloses a paint roller having height-profiling functionality. The plush covering 12, cited by the Examiner as the elastic member of claim 1 (Office Action, page 3), covers the entire outer circumference of the paint roller carrying body 11. (Fig. 1, right drawing.) The paint roller can be fitted with a tubular sleeve 21 for providing a height-profiled surface. (Fig. 2.) The height-profiled paint roller is used to form a structured painting pattern on a wall. (Col. 1, lines 29-41.) Weihrauch does not disclose that the circumferential surface shape of the plush covering is substantially identical to the shape of a label. Therefore, Weihrauch does not disclose the elements as recited in amended claim 1.

Accordingly, withdrawal of the rejection of claims 1 and 2 based on Funahashi and the rejection of claim 1 based on Weihrauch is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

Amendment
Application No. 10/820,697
Attorney Docket No. 042326

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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